

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

SEP 23 2016

David J. Bradley, Clerk

UNITED STATES OF AMERICA
v.

CRIMINAL COMPLAINT

Juan Manuel Zepeda-Estrada

Count 1 & 2

Case Number:

YOB: 1984

the United Mexican States

M-16-1763-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 22, 2016 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

Count 1 - 1324(a)(1)(A)(iii)

knowing or in reckless disregard of the fact that Wilber Alejandro Machado-Martinez and Leonardo Alexis Pena-Aviles, citizens and nationals of El Salvador, along with six (6) other undocumented aliens, for a total of eight (8), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation; to wit: a resident in Mission, Texas;

Count 2 - 1326

being then and there an alien who had previously been deported from the United States to the United Mexican States in pursuance of law, and thereafter was found near Mission, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) & 1326

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On September 21, 2016, at approximately 1:00 p.m., while stopped at a Stripes Convenience Store Border Patrol Agents M. Gonzalez and A. Solis of the Rio Grande Valley Sector Field Intelligence Team (FIT) observed two vehicle meet in the parking lot of the store. A burgundy Chevrolet Tahoe met with an already parked beige Expedition.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Sworn to before me and subscribed in my presence,

September 23, 2016
Date

11:01 am at

McAllen, Texas
City and StatePeter E. Ormsby, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Complainant

Jerrico Leason
Jen M. Chan

Senior Patrol Agent

Printed Name of Complainant

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16-1763-M

RE: Juan Manuel Zepeda-Estrada

CONTINUATION:

Agents observed the two passengers exit the Expedition and run toward and enter the Tahoe. The driver of the Tahoe, later identified as Juan Manuel Zepeda-Estrada, then drove to the residence located at 7920 Freedom Mission, Texas. At the residence, Zepeda-Estrada exit the Tahoe unlocked the fence and drove into the property. Moments later, agents observed Zepeda-Estrada depart the residence alone and proceeded to a Mission Auto Care in Palmview, Texas.

Border Patrol Agents and Hidalgo County Sheriff Office approach at Mission Auto Care and spoke with the driver of the Tahoe to question him as to his immigration status. Juan Manuel Zepeda-Estrada told agent he was in the United States illegally. Agent Solis questioned ZEPEDA-Estrada as to where he was coming from and ZEPEDA-Estrada freely admitted he had come from a house on Freedom in Mission, Texas and had just dropped off two people at the house. Zepeda was arrested and read his Miranda Rights.

ZEPEDA-Estrada told agent he knew of seven (7) undocumented aliens at the home, he was the renter and caretaker of the house on 7920 Freedom. ZEPEDA-Estrada also gave written consent to search the home he is renting and provided agents with a key to the lock on the fence.

Border Patrol Agents and Hidalgo County Sheriff Deputy conducted a search of the home at 7920 Freedom and a total of eight (8) were apprehended. All subjects were questioned and admitted that they were in the United States illegally.

All subjects were transported to the Weslaco Border Patrol Station for interview and processing. Once at the station, Juan Manuel ZEPEDA-Estrada was identified as the caretaker of the stash house. Record checks revealed that ZEPEDA-Estrada was formally Deported / Excluded from the United States, for the fifth (5rd) time, on April 11, 2013, through Harlingen, Texas Port of Entry. Prior to Deportation/Exclusion the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security.

PRINCIPAL STATEMENT:

Juan Manuel ZEPEDA-Estrada was advised of his rights understood his rights and was willing to give a sworn statement without the presence of an attorney.

Juan Manuel Zepeda-Estrada, citizen and national of the United Mexican States, told agent a man he knows Bola, offered him work harboring and transporting illegal immigrants. Zepeda-Estrada stated Bola owed him \$280.00 USD for his transporting and harboring of illegal immigrants and was to be paid \$20.00 a day per subject. Zepeda-Estrada claimed that he was the renter of 7920 Freedom Street Mission, Texas and had been renting for the past 4 months.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

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RE: Juan Manuel Zepeda-Estrada

CONTINUATION:

MATERIAL WITNESS STATEMENTS

Wilber Alejandro MACHADO-Martinez and Leonardo Alexis PENA-Aviles were read their Miranda Rights, understood their rights and were willing to provide a sworn statement without the presence of an attorney.

MATERIAL WITNESS:

Wilber Alejandro MACHADO-Martinez, a citizen and national of El Salvador, stated he was to pay a total of \$8,000 to be smuggled into the United States. After entering into the United States illegally, MACHADO stayed at two different stash houses and was apprehended at the second house. MACHADO told agent that on September 21, 2016, he was picked up with one other person from the first stash house and was driven to a store lot. He then stated he was then transferred to a second vehicle and ultimately driven to the stash house where he was encountered. Wilber Alejandro MACHADO-Martinez was able to identify Juan Manuel ZEPEDA-Estrada, through a photo lineup, as the man who drove him to the stash house where he was arrested. MACHADO further stated that once at the stash house ZEPEDA showed him where the food was kept and where he could sleep.

MATERIAL WITNESS:

Leonardo Alexis PENA-Aviles, a citizen and national of El Salvador, stated he illegally entered into the United States on September 20th, 2016 with a final destination of Tennessee. PENA stated once he crossed into the United States he was instructed by the brush guides to walk to a flea market and load a bus to a bus station. Once he arrived at the bus station, he was picked up by an unknown man who him to a convenience store where a red SUV was already waiting for him. PENA, stated that the driver of the grey truck told him to get inside the red SUV. Once he boarded the red SUV, he was taken to the stash house where he was arrested my immigration authorities.

Leonardo Alexis PENA-Aviles was able to identify Juan Manuel ZEPEDA-Estrada, through a photo lineup, as the person who picked him up from the convenience store and took the group food.